**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SIMPLEAIR, INC.,
 	
    Plaintiff,
 	
  v.
 	
AWS CONVERGENCE TECHNOLOGIES, INC., ET AL.,
 	
    Defendants.
	Case No. 2:09-cv-289-MHS
	
	 JURY DEMANDED

Plaintiff SimpleAir's _Fourth Amended_ Exhibit List
(filed and served on 4/18/2012)

Plaintiff SimpleAir serves and files this _Fourth_ Amended Exhibit List. This list updates the prior list in

the following ways:

(1) removes exhibits PX-26, 36, 42, 52, 55, 56, 99, 105, 169, 185, 222-236, and 276;

(2) removes exhibit PX-179 (which was a collection of Apple source code printouts) and adds exhibits

PX-620-644 (which are separate source code files taken from the collection), per a stipulation between the

parties;

(3) reflects Apple's current objections, as SimpleAir understands them based on recent meet and confer discussions and the report and recommendation of Judge Folsom;

(4) adds exhibits PX-655 and 656 (which Apple produced yesterday); and

(5) adds a separate section titled "Impeachment Only." Plaintiff did not and does not interpret the Court's order of March 23, 2012 (dkt. #450) to require the identification of impeachment documents on the parties' exhibit lists. However, we conservatively interpret the Court's order of April 17, 2012 (dkt. #550) to require that impeachment exhibits be listed if there is any possibility (even if remote) of the exhibit being used for impeachment and for that reason identify such exhibits. We do not currently intend to offer any of these exhibits in evidence.

Plaintiff also anticipates that it will likely use at trial exhibits identified on Defendant Apple's exhibit list in addition to those below, though not in its case-in-chief, and to that extent also identifies the exhibits on Defendants' exhibit list.

Dated: April 18, 2012   Respectfully submitted,

                                                  By: /s/ *Jeff Eichmann*
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                                                       District of Texas)
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ATTORNEYS FOR PLAINTIFF,
SIMPLEAIR, INC.

Certificate of Service

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email, on this 18th day of April 2012.

/s/ Jeff Eichmann
John Jeffrey Eichmann

Exh. #	Description	Bates	Offered	Objection	Admitted	Witness
1.	U.S. Pat. No. 7,035,914	N/A				
2.	U.S. Pat. No. 6,021,433	N/A				
3.	U.S. Pat. No. 6,167,614	N/A				
4.	U.S. Pat. No. 6,735,614	N/A				
5.	Provisional Pat. App. No. 60/010,651 (1/26/1996)	SA 1391 -1424				
6.	Provisional Pat. App. No. 60/014,341 (3/29/1996)	SA 1431 - 1480				
7.	Provisional Pat. App. No. 60/014,735 (4/1/1996)	SA 1488 - 1542				
8.	Provisional Pat. App. No. 60/026,471 (9/23/1996)	SA 1558 - 1628				
9.	Provisional Pat. App. No. 60/030839 (11/15/1996)	SA 1641 - 1667				
10.	AirMedia Live presentation to Casio (slides and multimedia)	S 13373- 13439				
11.	AirMedia Live materials (binder)	S 11157 – 11286				
17.	Air Media Live press release – Jan 26, 1996	S 11305-311				
25.	AirMedia Live 2.0 User Guide – NewsCatcher	S 11332 – 412				
28.	AirMedia Live Software documentation	S 11475 – 82				
29.	AirMedia Live Viewer Server Applications Programming Interface	S 11516 - 541				
37.	AirMedia Live Format Specification for the Ex Machina Information Transfer (EMIT) Message Standard	S 11772 - 73				
39.	AirMedia Live User Manual – Alpha Version 1.03	S 11869-935				
41.	AirMedia Live Sales & Marketing Reference Book	S 12948 - 13222				
46.	NEC Internet Antenna and AirMedia Live User's Guide	S 13273- 13332				
47.	AirMedia Live for NEC Software and Demonstration CD-ROM (media content)	S 13333-36				
48.	AirMedia Live promotional materials for NEC unit	S 13337 - 42				
53.	AirMedia Live product literature	S 13078 - 79				
58.	Phillips Mobile Internet Antenna product literature	S 13217 - 218				

Exh. #	Description	Bates	Offered	Objection	Admitted	Witness
73.	Samsung Electronics - User's Manual S5PC100, June, 2009	S 18837 - 20699		H[1]		
75.	AirMedia Video Clips	S 18823				
76.	Kapyla, Tuula, et al. *"Towards an Accessible Web by Applying PUSH Technology"* (exhibit 27 to SimpleAir's *Markman* brief)	N/A				
77.	AirMedia Media Relations Reference Book	S 12960 – 12967				
78.	Ray, Eric J. et al.; *The Alta Vista Search Revolution;* Osborne McGraw-Hill 2nd ed., 1998 [Identified for potential use and publication under FRE 703]	N/A				
79.	Rosenfeld, Louis B.; *"The Untimely Death of Yahoo: How the Double-Whammy of Web Architecture and Information Retrieval Will Do Yahoo In,"* CMC Magazine (Sept. 1, 1995) [Identified for potential use and publication under FRE 703]	S 20786 – 20789				
80.	Eugene Spafford, "That's All, Folks" (April 29, 1993) [Identified for potential use and publication under FRE 703]	S 20790 – 20792				
81.	"The History of Yahoo! –How it All Started," Yahoo! Media Relations (2005); [Identified for potential use and publication under FRE 703]	S 20793				
82.	Lewis, Peter H., "Digital Equipment Offers Web Browsers Its 'Super Spider,'" The New York Times (Dec. 18, 1995) [Identified for potential use and publication under FRE 703]	S 20794				
83.	DEC Press Release, *"Digital Develops Internet's First 'Super Spider'"* (Dec. 15, 1995) [Identified for potential use and publication under FRE 703]	S 20795 – 20797				

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[1] Objection overruled by Judge Folsom. Dkt. #554 at 2.

Exh. #	Description	Bates	Offered	Objection	Admitted	Witness
84.	Gleick, James; *"Pushy, Pushy,"* The New York Times (March 23, 1997) [Identified for potential use and publication under FRE 703]	S 20798 – 20799				
85.	Intel White Paper, *Enhanced Intel SpeedStep Technology for the Intel Pentium M Processor* (March 2004) [Identified for potential use and publication under FRE 703]	S 20800 – 20811				
86.	Michaelas, Y. and Tassiulas, L.; *Paging System Design Issues and Overview of Common Paging Protcols* (July 15, 1998) [Identified for potential use and publication under FRE 703]	S 20812 – 20836				
88.	S. Zdonik, M. Franklin, R. Alonso, S. Acharya, *"Are 'Disks in the Air' Just Pie in the Sky?"* IEEE Workshop on Mobile Computing Systems and Applications, Santa Cruz, Cal., p.18 (December 1994)	S 20837 – 20844				
100.	iPhone 3Gs highlighted features presentation	APPSIM00002625 –2855				
101.	iPhone 3G Student Workbook	APPSIM00006396 – 6446				
102.	Email titled: "HOT: Tech talk stats and images"	APPSIM00007693 – 7696				
103.	Email titled: "Re: Q&A for iPhone OS 3.0 Event"	APPSIM00008092 – 8095				
104.	Slide from WWDC presentation	APPSIM00008205				
107.	Stirling specification, version 1.0	APPSIM00001557 – 1587				
109.	Local and Push Notification Programming Guide, 2010-05-27	APPSIM00000281 – 328				
111.	Stirling Maintenance Documentation (Version 1.0, September 11, 2009)	APPSIM00021748 – 21763				
112.	Slide from WWDC re APNs	APPSIM00002708				

Exh. #	Description	Bates	Offered	Objection	Admitted	Witness
114.	Email titled : "Re: Notification Milestone," Feb. 26, 2009	APPSIM00009150				
116.	Apple Push Service; Stirling presentation, Nov. 2008	APPSIM00075086 –75104				
118.	Push Notification introduction presentation	APPSIM00006265 – 6277				
119.	Overview of Apple Push Notification Service on iPhone OS 3.0	APPSIM00007441 – 7444				
122.	Remote Notification Documentation Plan, 2009-01-29	APPSIM00008635 – 8650				
123.	Push Notification Service – Wireless Notifications for iPhone presentation	APPSIM00024075 – 24159				
127.	Apple Push Notification Service – Wireless Notifications for Apps presentation; Session 120	APPSIM00079865 – 79932				
137.	iPhone Human Interface Guidelines – User Experience, 2010-06-03	APPSIM0000001-152				
140.	Push Notification Service Green Paper, 2008-06-24	APPSIM00009592 – 9623				
148.	AT&T Wireless Terminal 3G Functional Lab Text Specification; 12/14/09	APPSIM00126066 – 126275				
149.	IMS-Based DMS Device Tests – Device Testing Document, 8/6/07	APPSIM00126422 – 126465				
150.	GSM & GPRS Encryption Test Plan with redline edits; 8/20/09	APPSIM00127755 – 127755				
151.	AT&T Device Requirements – Requirements Document; 3/6/09	APPSIM00128831 – 130138				
152.	ADAPT – AT&T Device Advanced Platform Testing – Chipset Platform Validation Process Overview; 2/25/09	APPSIM00131156 – 131220				
153.	AT&T Device Requirements for Mobile Virtual network Operators (MVNOs); 3/17/10	APPSIM00131221 – 131232				
154.	iPhone Development Guide – Tools & Languages: IDEs; 2010-03-19	APPSIM00021411 – 21516				

Exh. #	Description	Bates	Offered	Objection	Admitted	Witness
156.	iOS Developer Program License Agreement	APPSIM00123834 – 123866				
157.	iPhone OS 3.0 Software and SDK Update	APPSIM00007733 – 7736				
158.	Kirkwood/iPhone OS 3.0 Product Brief (Version 1.1, March 5, 2009)	APPSIM00107104 – 107109				
163.	iPhone OS Technology Overview – General, 2010-07-08	APPSIM00000217 – 280				
165.	What's New in iOS – General, 2010-07-08	APPSIM00001517 – 1556				
168.	Portions of a presentation regarding sales	APPSIM00005759 – 5765				
177.	iPhone Block Diagram	APPSIM00123974				
178.	iPhone Touch Block Diagram	APPSIM00123975				
180.	Verizon Wireless White Paper – Verizon Wireless Private Network	VERIZON0000001 – 45				
181.	Data Network Overview presentation; John Joyce (Data Engineer, Midwest Area Data Planning)	VERIZON0000046 – 86				
182.	Data Network Road Show presentation; Chip Vignolini, et al.	VERIZON0000087 – 157				
183.	CDMA2000 1xEV-DO presentation, Neville Arestani	VERIZON0000158 – 176				
184.	"Radio Interface Packet Flow" and other diagrams	VERIZON0000177 – 182				
186.	DOCIS – Cable Modem Termination System – Network Side Interface Specification SP-CMTS-NSII01-960702).	S 20700 – 20716				
187.	Langlois, Matthew J.; *ADSL Tutorial*, University of New Hampshire; Standard ITU G.992.x	S18824 – 18836				
189.	Battery testing data and images, produced in connection with infringement reports of Dr. James Knox	N/A				

Exh. #	Description	Bates	Offered	Objection	Admitted	Witness
202.	Guidelines for Apple Push Notification Service	APPSIM000007414-7417				
239.	Introduction to Game Center – Overview Session 404, presentation slides	APPSIM00134892 – 134947				
250.	GameKit Support for Turn Based Games	APPSIM00136415 – 136421				
271.	Various presentation slides from iPhone Buyer Survey (Sinclair depo Exh. 77)	APPSIM00137992, etc.				
272.	Various presentation slides from iPhone Buyer Survey (Sinclair depo Exh. 76)	APPSIM00138077, etc.				
274.	FY 2011 iPhone Summary (sales, revenue) (Leun depo Exh. 153) [REDACTED VERSION]	APPSIM00141794				
275.	iOS 3 Updates – iPod Touch units sold and billings table (Leung depo Exh. 162) [REDACTED VERSION]	APPSIM00141953				
277.	US iAd Revenue Shared with developers (Leung Exh. 159)	APPSIM00143495				
278.	iOS 3.0 Upgrade for iPod Touch	APPSIM00002716				
282.	iPhone – Joseph Del Rocco presentation April 2009, PowerPoint presentation	N/A				
289.	Various presentation slides from iPhone presentation (Sinclair depo Exh. 81)	N/A				
377.	"Apple's iOS 4.2 Available Today for iPad, iPhone & iPod touch," Apple press release, November 22, 2010.	N/A				
378.	"Implementing Local and Push Notifications; Maybe You Don't Need Multitasking After All," WWDC Presentation.	APPSIM00141801				
379.	"Introduction to Game Center," WWDC 2010 Presentation.	APPSIM00141806				
380.	"Introduction to Game Center," WWDC 2011 Presentation.	APPSIM00141816				
381.	"U.S. iPhone and iPod touch Apps Study," May 2010.	APPSIM00143907 – 144005				
385.	Apple Special Event, April 8, 2010 (http://itunes.apple.com/us/podcast/apple-keynotes/id275834665).	N/A				

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Exh. #	Description	Bates	Offered	Objection	Admitted	Witness
386.	Apple Special Event, October 4, 2011 (http://itunes.apple.com/us/podcast/apple-keynotes/id275834665).	N/A				
387.	Apple, Inc. WWDC 2008 Keynote Address, Apple website (itunes.apple.com/us/podcast/apple-keynotes/id275834665).	N/A				
395.	Email from Eric Albert re battery testing, March 14, 2009.	APPSIM00109634 – 109635				
397.	GameCenter-enabled Apps, sorted by Adam ID.	APPSIM00145845				
400.	iOS 3 Updates – iPod touch.	APPSIM00141953				
401.	iPhone Buyer Survey, FY10 – Q1.	APPSIM00137991 – 138075				
402.	iPhone Buyer Survey, FY11 – Q1.	APPSIM00138076 – 138157				
403.	iPhone Summary, FY 2009 – 2011 [REDACTED VERSION]	APPSIM00141794				
404.	Provisioned Tokens to 09-05-11.	APPSIM00141954				
410.	Units, Billings for ALL Apps, by ADAM ID.	APPSIM00144422				
411.	US Billings/Units of Apps with APNS Traffic.	APPSIM00143906				
412.	US iAd Revenue Shared with Dev.	APPSIM00143495				
413.	US In-App Sales.	APPSIM00133661				
414.	US iPad Sales and US iPod touch Sales [REDACTED VERSION]	APPSIM00141797				
416.	WW Delivered 5-31-11 by Car./WW Received 5-31-11 by App	APPSIM00138865				
417.	WWDC 2008 Keynote Address, June 9, 2008 (http://itunes.apple.com/us/podcast/apple-keynotes/id275834665).	N/A				
418.	WWDC 2011 Keynote Address, June 6, 2011 (http://itunes.apple.com/us/podcast/apple-keynotes/id275834665).	N/A				

Exh. #	Description	Bates	Offered	Objection	Admitted	Witness
429.	Email between William Hays and David Rose, June 14, 2011 [Plaintiff will only use for impeachment purposes if appropriate and will approach the bench for permission to do so first][2]	HAY3930-32				
511.	Backup data and images from testing of Dr. James Knox (produced in connection with infringement reports)	N/A				
512.	Summary of Dr. Knox opinions regarding Apple infringement	N/A		Not produced demonstrative; reserving objections		
515.	iPhone 3Gs	N/A				
516.	iPhone 4	N/A				
517.	iPhone 4S	N/A				
518.	iPad	N/A				
519.	iPad 2	N/A				
520.	iPod Touch (3rd generation)	N/A				
528.	Summary of Robert Mills opinions regarding Apple damages	N/A		Not produced demonstrative; reserving objections		
531.	Backup data produced in connection with Srinivasan initial report	N/A				
533.	Summary of Srinivasan opinions regarding Apple	N/A		Not produced demonstrative; reserving objections		
534.	Summary of Srinivasan opinions regarding RIM	N/A				
563.	Apple iPhone Push Notifications	S 022823-63				

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[2] *See* Judge Folsom's report at dkt. #554 at 2.

Exh. #	Description	Bates	Offered	Objection	Admitted	Witness
612.	Back up documents and data produced in connection with Dr. Srinivasan's 2/29/12 supplemental report	n/a				
616.	Demonstrative exhibits for Dr. James Knox	n/a		Not produced demonstrative; reserving objections		
617.	Demonstrative exhibits for Robert Mills	n/a		Not produced demonstrative; reserving		
618.	Demonstrative exhibits for Dr. Srinivasan	n/a		Not produced demonstrative; reserving objections		
619.	Diagram of APNs components	APPSIM00021763				
620.	Source code print out	APPSIM-SCPO-00000033-35				
621.	Source code print out	APPSIM-SCPO-00000040-41				
622.	Source code print out	APPSIM-SCPO-00000044-49				
623.	Source code print out	APPSIM-SCPO-00000054-55				
624.	Source code print out	APPSIM-SCPO-00000067-68				
625.	Source code print out	APPSIM-SCPO-00000069-70				
626.	Source code print out	APPSIM-SCPO-00000073-75				
627.	Source code print out	APPSIM-SCPO-00000076-78				
628.	Source code print out	APPSIM-SCPO-00000079				

Exh. #	Description	Bates	Offered	Objection	Admitted	Witness
629.	Source code print out	APPSIM-SCPO-00000084-86				
630.	Source code print out	APPSIM-SCPO-00000106-108				
631.	Source code print out	APPSIM-SCPO-00000109-110				
632.	Source code print out	APPSIM-SCPO-00000111-112				
633.	Source code print out	APPSIM-SCPO-00000113				
634.	Source code print out	APPSIM-SCPO-00000139-142				
635.	Source code print out	APPSIM-SCPO-00000148-159				
636.	Source code print out	APPSIM-SCPO-0000196				
637.	Source code print out	APPSIM-SCPO-0000197-199				
638.	Source code print out	APPSIM-SCPO-00000291-293				
639.	Source code print out	APPSIM-SCPO-00000351-364				
640.	Source code print out	APPSIM-SCPO-00000647				
641.	Source code print out	APPSIM-SCPO-00000648-APPSIM-SCPO-00000649				
642.	Source code print out	APPSIM-SCPO-00000650-APPSIM-SCPO-00000651				
643.	Source code print out	APPSIM-SCPO-00000652				

Exh. #	Description	Bates	Offered	Objection	Admitted	Witness
644.	Source code print out	APPSIM-SCPO-00000653-APPSIM-SCPO-00000657				
655.	iPhone units – sales information	APPSIM00165589-592				
656.	iPod Touch and iPad units – sales information	APPSIM00165593-94				

Impeachment only

Exh. #	Description	Bates	Offered	Objection	Admitted	Witness
700.	2010-07-26 Apple's Responses to First Set of Common Interrogatories and First Set of Individual Interrogatories	N/A				
701.	2010-08-31 Apple First Supplemental Response to SimpleAir First Set of Interrogatories	N/A				
702.	2010-12-20 Apple's Response to SimpleAir's Second Set of Interrogatories	N/A				
703.	Apple Supplemental Interrogatory Responses (Nos. 1-3)	N/A				
704.	Apple's Response to Individual Rogs 22-27 (6'20'11)	N/A				
705.	Apple's Second Supplemental Response to SimpleAir's First Set of Common Interrogatories	N/A				
706.	Apple Ex. A to Interrogatories Nos. 1-3	N/A				
707.	Apple Supplemental Responses to Rog 21	N/A				
708.	Apple Supplemental Rog Responses (8,11)	N/A				
709.	Professor Steven M. Shugan Expert Report	N/A				
710.	Shugan backup data	N/A				
711.	Professor Steven M. Shugan Supplemental Expert Report	N/A				
712.	Ray Perryman, Ph. D. Expert Report	N/A				
713.	Perryman backup data	N/A				
714.	Ray Perryman, Ph.D. Supplemental Report	N/A				
715.	Dr. Perryman's Invoices	N/A				
716.	Dr. Stephen Wicker Invalidity Expert Report (10/7/11)	N/A				

Exh. #	Description	Bates	Offered	Objection	Admitted	Witness
717.	Dr. Stephen Wicker Supplemental Invalidity Expert Report (11/30/12)	N/A				
718.	Dr. Stephen Wicker Supplemental Expert Report (3'20'12)	N/A				
719.	Dr. Wicker Supplemental Expert Report (3'29'12)	N/A				
720.	Dr. Wicker's invoices	WICKER0001-10				
721.	Expert report and attachments of William Hays	N/A				
722.	Hays invoices and emails	HAYS 3629-33, 3923-26				
723.	Apple Initial Disclosures 8'6'10	N/A				
724.	Apple Supplemental Initial Disclosures 7'6'11	N/A				
725.	SimpleAir's P.R. 3-1 Infringement Contentions (Apple portions)	N/A				
726.	SimpleAir's P.R. 3-1 Amended Infringement Contentions (3'22'11)	N/A				
727.	Apple's P.R. 3-3 Invalidity Contentions and Charts	N/A				
728.	RIM's P.R. 3-3 Invalidity Contentions and Charts	N/A				
729.	Apple's P.R. 3-3 Amended Invalidity Contentions and Charts	N/A				
730.	RIM's P.R. 3-3 Amended Invalidity Contentions and Charts	N/A				
731.	Apple Supplemental Initial Disclosures 8'15'11	N/A				
732.	BlackBerry Bold 9000 User Guide [Previously PX-434]	N/A				
733.	BlackBerry Bold 9700 User Guide [Previously PX-435	N/A				
734.	BlackBerry Curve 8320 User Guide [Previously PX-436]	N/A				
735.	BlackBerry Curve 8350i User Guide [Previously PX-437]	N/A				
736.	BlackBerry Curve 8900 User Guide [Previously PX-438]	N/A				
737.	BlackBerry Storm 2 User Guide [Previously PX-439]	N/A				
738.	BlackBerry Storm 9500 User Guide [Previously PX-440]	N/A				

Exh. #	Description	Bates	Offered	Objection	Admitted	Witness
740	BlackBerry Tour 9630 User Guide [Previously PX-441]	N/A				
741.	William Choi and Roy Weinstein, "An Analytical Solution to Reasonable Royalty Rate Calculations," *The Journal of Law and Technology*, Vol. 41, No. 1, 2001, pp. 49-63.					
742.	Order in Oracle America, Inc. v. Google Inc. No. C 10-03561 (N.D. Cal.), docket item 785.					
743.	Tanenbaum, Andrew. "Computer Networks," Third Edition	APPSIM00160819 - APPSIM00160821				
744.	Steve Jobs Interview Clip	S 023073				
745.	Distribution and Revenue Share Agreement between Apple and AT&T/Cingular dated August 10, 2006.	Produced by Apple without Bates range				
746.	Compilation of Smartphone pricing and features	S 022864-23072				
747.	Robert Mills Expert Report on Apple damages and exhibits (served 10'7'11)					
748.	Robert Mills Supp. Expert Report on Apple damages and exhibits (served 10'26'11)					
749.	Robert Mills Supp. Expert Report (served 2'3'12)					
750.	Robert Mills Supp. Expert Report (served 2'29'12)					
751.	Dr. James M. Knox Expert report on Apple Infringement and exhibits (served 10'10'11)					
752.	Dr. James M. Knox Supp. Expert report (February 3, 2012)					
753.	Professor V. Seenu Srinivasan Expert Report and exhibits (served 10'7'11)					
754.	Professor V. Seenu Srinivasan supplemental report (served 1'31'12)					
755.	Professor V. Seenu Srinivasan supplemental report (served 2'17'12)					
756.	Professor V. Seenu Srinivasan supplemental report (served 2'29'12)					
757.	Backup data produced re Dr. Srinivasan's second survey					

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